

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

Securities and Exchange Commission

Plaintiff

v.

Mark Cuban

Defendant

Civil Action No.

3-08CV2050-D

Summons in a Civil Action

To: *(Defendant's name and address)*Mark Cuban
5424 DeLoach Avenue
Dallas, Texas 75220

A lawsuit has been filed against you.

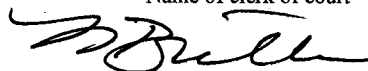
Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Kevin P. O'Rourke
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Karen Mitchell

Name of clerk of court



Deputy clerk's signature

Date: 11/17/2008

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

(158-1)